

Brown, Katherine

From: Brown, Katherine
Sent: Friday, June 14, 2013 2:31 PM
To: 'Jessica Winnestaffer'; 'Lisa Wade'; Marc Lamoreaux; Angeleen Waskey; Brenda Trefon; Theo Garcia; Gerald Pilot; Klaudia Klaudi; Nancy Yeaton; Darrel Williams; Gina Wiste; Violet Yeaton; Rita Meganack; Michael Opheim; Tracie Merrill; Tina Constantine; Priscilla J Evans
Cc: Godsey, Cindi
Subject: FYI: *Draft Biological Evaluation* for Draft NPDES General Permit for Oil & Gas Exploration Activity Discharges in Cook Inlet Federal Waters
Attachments: CIGP Draft BE June 2013.doc

Dear Cook Inlet Tribal Environmental Directors:

As we discussed at the "Permitting 101" Training in April, Section 7 of the Endangered Species Act (ESA) requires that federal agencies consult with the U.S. Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS) (collectively the Services) to ensure that any action it authorizes is not likely to jeopardize the continued existence of any species listed under ESA or result in the destruction or adverse modification of critical habitat.

The U.S. Environmental Protection Agency (EPA) has evaluated the potential impacts to federally-listed endangered, threatened and candidate species that could result from the reissuance of the National Pollutant Discharge Elimination System (NPDES) general permit for oil and gas exploration located in Federal water in Cook Inlet, Alaska. The EPA has developed a Biological Evaluation (BE) to assist with consultations for the proposed permit action under ESA § 7 and § 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). The BE includes a description of the receiving environment and potential effects (direct and indirect) of the proposed permit action to ESA-listed species under the jurisdiction of both USFWS and NMFS and critical habitat that may be present in the vicinity of the project area.

A copy of the draft BE is attached here, and a copy on CD was sent to Cook Inlet tribes today. We have also provided the draft BE to the Services requesting their review and comments by July 15. While there is no formal comment period on the BE, the EPA will consider any comments received from tribes in preparing the final BE, but will not prepare a response to comments document. Comments may be submitted to Cindi Godsey by email to godsey.cindi@epa.gov or by mail to EPA-AOO, 222 W. 7th Avenue Box 19, Anchorage, AK 99513.

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